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Proposed programme budget for the biennium 2012-2013

Oceans and the law of the sea

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Programme budget implications of draft resolution A/66/L.21

Report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2012-2013

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement submitted by the Secretary-General (A/C.5/66/12) on the programme budget implications of draft resolution A/66/L.21, on oceans and the law of the sea.

2. The Advisory Committee notes that under the terms of operative paragraphs 36, 66, 168, 208, 231 and 245 of draft resolution A/66/L.21, the General Assembly would request the Secretary-General to convene in New York meetings of the States parties to the United Nations Convention on the Law of the Sea, the Commission on the Limits of the Continental Shelf, and various associated working groups dealing with related issues, as well as plenary meetings at the sixty-seventh session of the Assembly.

3. The Advisory Committee further notes that under the terms of operative paragraph 63 of draft resolution A/66/L.21, the Assembly would request the Secretary-General to take appropriate and timely measures to ensure secretariat services for the Commission on the Limits of the Continental Shelf and its subcommissions for the extended duration of time requested in the decision of the twenty-first Meeting of States Parties to the Convention. Operative paragraph 64 of the draft resolution would further request the Secretary-General to allocate appropriate and sufficient resources to the Division for Ocean Affairs and the Law of the Sea in the Office of Legal Affairs to provide adequate services and assistance to the Commission in view of the increased number of its working weeks, including through the establishment of additional posts to reinforce the Geographic

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Information System, legal and administrative support to the Commission, respectively.

4. The Secretary-General states that the new arrangements set out at the twenty-first Meeting of States Parties to the Convention would significantly increase the workload of the Commission in terms of the number of its working weeks. The Secretary-General further states that it is expected that the working methods of the Commission would also change, resulting in a substantial increase in the number of submissions under active consideration at the same time. The Secretary-General states that this will present considerable new challenges to the Division for Ocean Affairs and the Law of the Sea, which provides services to the Commission, and, as such, he states that there would be a need to strengthen the capacity of the Division by adding three new posts.

5. For the biennium 2012-2013, the Secretary-General states that three new posts would be required in order to ensure enhanced support and assistance to the Commission: one Senior Geographic Information System Officer (P-5), one Legal Officer (P-4) and one Administrative/Information Technology Assistant (General Service (Other level)). The functions of the proposed posts are outlined in the annex to the statement of the Secretary-General.

6. The Secretary-General states that no additional resources would be required for conference services related to the meetings referred to in operative paragraphs 36, 66, 168, 208, 231 and 245 of draft resolution A/66/L.21, since all the meetings have already been included in the calendar of conferences and meetings (A/C.5/66/12, para. 10).

7. The Secretary-General states that the estimated cost of the additional staffing required pursuant to paragraphs 63 and 64 of draft resolution A/66/L.21 would amount to $815,800, including $537,000 under section 8, Legal affairs, $192,100 under section 29D, Office of Central Support Services, and $86,700 under section 37, Staff assessment, to be offset by the same amount under income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2012-2013 (ibid., para. 8).

8. The Secretary-General states that no provision has been made under the proposed programme budget for the biennium 2012-2013 in relation to the increase in activities referred to under operative paragraphs 63 and 64 of draft resolution A/66/L.21. He further states that, at the current stage, it is not possible to identify activities within the relevant budget sections that could be terminated, deferred, curtailed or modified during the biennium and that it would therefore be necessary for additional resources to be provided through an additional appropriation (ibid., para. 11).

9. The Advisory Committee notes that the Commission on the Limits of the Continental Shelf considers submissions from Member States in respect of the establishment of the outer limits of the continental shelf beyond 200 nautical miles and makes recommendations regarding the outer limits. The Committee was informed that, to date, the Commission had received a total of 58 submissions from Member States. Of these, the Commission had taken up 19, for which it had established subcommissions, and had issued 14 recommendations. The Committee was further informed that the Commission had yet to establish subcommissions to start the consideration of the remaining 39. In addition, the Committee was

informed that preliminary information notes had been received which were indicative of a further 45 submissions being made. The Committee was informed that the new working arrangements were implemented with a view to reducing the present backlog and would enable a number of submissions to be considered simultaneously.

10. The Advisory Committee was informed that the role of the Division for Ocean Affairs and the Law of the Sea in servicing the Commission included the receipt and processing of submissions from Member States and organizing, servicing and facilitating meetings of the Commission and its subcommissions. The Division also manages two related trust funds; one provides support to Commission members from developing countries and the other facilitates the preparation of submissions to the Commission by developing countries, in particular the least developed countries and small island developing States. **The Advisory Committee welcomes the support provided to Member States through these trust funds and encourages continued efforts to mobilize sufficient resources for these purposes**.

11. The Advisory Committee was informed that, currently, the staffing of the Division consisted of 16 staff, including the Director, the Deputy Director, six legal officers, three geographic information system officers and five administrative support staff. The Committee was informed that at present all posts were encumbered. The Committee was informed that the change in working methods of the Commission, including the increase in submissions being reviewed simultaneously, necessitated additional staffing to enable the Division to effectively support the Commission's work. The Committee notes that technical support in the area of geographic information systems is a central element of the support provided by the Division. **Given the specialized nature of such support, the Advisory Committee emphasizes the need to explore opportunities for cooperation and coordination between the Division and other Secretariat capacities in the area of geographic information systems**.

12. The Advisory Committee recognizes that new arrangements set out at the twenty-first Meeting of the States Parties to the Convention on the Law of the Sea will significantly increase the number of working weeks of the Commission and, by extension, increase the workload on the Division for Ocean Affairs and the Law of the Sea to service it. **The Advisory Committee has no objection to the additional three posts being proposed. The Committee expects that the increased staffing will enable the Division to provide enhanced support to Members States and the Commission and, in so doing, help facilitate the timely consideration of the current backlog of submissions from Member States**.

13. **The Advisory Committee recommends that the Fifth Committee inform the General Assembly that, should it adopt draft resolution A/66/L.21, additional resources in the amount of $815,800 gross ($729,100 net) would be required under section 8, Legal affairs ($537,000), section 29D, Office of Central Support Services ($192,100), and section 37, Staff assessment ($86,700), to be offset by the same amount under income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2012-2013. This would represent a charge against the contingency fund and, as such, would require appropriation for the biennium.**